

108TH CONGRESS
2D SESSION

S. 2743

To amend title 38, United States Code, to provide that only licensed medical doctors, licensed doctors of osteopathy, and certain licensed dentists may perform eye surgery at Department of Veterans Affairs facilities or under contract with the Department.

IN THE SENATE OF THE UNITED STATES

JULY 22, 2004

Mr. FITZGERALD (for himself, Ms. CANTWELL, Mr. HOLLINGS, Mrs. FEINSTEIN, and Mr. SESSIONS) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide that only licensed medical doctors, licensed doctors of osteopathy, and certain licensed dentists may perform eye surgery at Department of Veterans Affairs facilities or under contract with the Department.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans Eye Treat-
5 ment Safety (VETS) Act of 2004”.

1 **SEC. 2. LIMITATION AS TO PERSONS WHO MAY PERFORM**
2 **EYE SURGERY FOR DEPARTMENT OF VET-**
3 **ERANS AFFAIRS.**

4 Section 1707 of title 38, United States Code, is
5 amended by adding at the end the following new sub-
6 section:

7 “(c)(1) Eye surgery at a Department facility or under
8 contract with the Department may be performed only by
9 an individual who is a licensed medical doctor, a licensed
10 doctor of osteopathy, or a licensed dentist whose practice
11 is limited to the specialty of oral or maxillofacial surgery.

12 “(2) For purposes of this subsection, the term ‘eye
13 surgery’ means any procedure involving the eye or the
14 adnexa in which human tissue is cut, burned, frozen, va-
15 porized, ablated, probed, or otherwise altered or pene-
16 trated by incision, injection, laser, ultrasound, ionizing ra-
17 diation, or by other means, in order to treat eye disease,
18 alter or correct refractive error, or alter or enhance cos-
19 metic appearance. Such term does not include the fol-
20 lowing noninvasive, nonsurgical procedures: removal of su-
21 perfcial ocular foreign bodies from the conjunctival sur-
22 face, from the eyelid epidermis, or from the corneal epithe-
23 lium; corneal debridement and scraping; forceps epilation
24 of misaligned eyelashes; the prescription and fitting of
25 contact lenses; insertion of punctal plugs, diagnostic dila-
26 tion or irrigation of the lacrimal system; the use of diag-

1 nostic ultrasound; orthokeratology; or the treatment of
2 emergency cases of anaphylactic shock (with subcutaneous
3 epinephrine, such as that included in a bee sting kit).”.

